

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:06CR410
)	
vs.)	ORDER
)	
WILLIE E. HILL,)	
)	
Defendant.)	

This matter is before the court on the motion of defendant Willie E. Hill (Hill) to review detention (Filing No. 21 - Sealed). Hill seeks release to a NOVA treatment program. The court conducted an evidentiary hearing on the motion on February 28, 2007. Hill was present with his counsel, Assistant Federal Public Defender Julie A. Hansen. The United States was presented by Assistant U.S. Attorney Douglas R. Semisch.

The court took judicial notice of the Pretrial Services report, received in evidence a copy of the substance abuse evaluation by Kimberly Smith of Substance Abuse Assessments (Exhibit 101 - Sealed), and heard the testimony of Pretrial Services Officer Jennifer Iverson. Hill had been detained following a detention hearing on January 4, 2007 (Filing No. 12). In the Order of Detention, the court noted the seriousness of the danger posed by Hill's release was due to the nature of the charges in the Indictment, Hill's criminal history, and Hill's commission of offenses while on release in state court proceedings (Filing No. 12, ¶ C4).

Hill is charged in the Indictment with being a felon in possession of a firearm (Count I) and the possession of a firearm by an unlawful drug user (Count II). Both counts carry a maximum sentence of ten years imprisonment upon conviction. Hill has an extensive criminal history. Although Hill is only twenty-five years of age, he has seventy-nine entries in his criminal history. Apart from entries relating to his juvenile criminal record beginning in 1994, Hill has a felony conviction for possession of a stolen firearm, fourteen convictions for driving under suspension, fifteen arrest warrants for his failure to appear in court with four convictions, convictions for resisting arrest, providing false information to law enforcement officers, unauthorized use of a motor vehicle, violation of probation, trespass,

and disorderly conduct. Hill has had sporadic employment over the past several years. Hill was not candid when interviewed by Pretrial Services regarding his drug usage. Hill was guarded in answering questions for the drug evaluation and was vague and tangential in his answers.

The court does not find that placement of Hill in a residential treatment program, such as NOVA, will adequately assure the safety of the community or Hill's appearance in court when ordered. Accordingly, Hill's motion will be denied.

IT IS ORDERED:

Hill's motion for review of detention and release to a residential drug treatment program (Filing No. 21 - Sealed) is denied.

DATED this 2nd day of March, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge